

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ROBERT E. HICKS

Plaintiff,

vs.

DAVID ROGER, CATHERINE
CORTEZ MASTO, HOWARD
SKOLNIK, JACK PALMER, JIM
GIBBONS and SCOTT KIPPER,

Defendant.

2:11-CV-00104-PMP-LRL

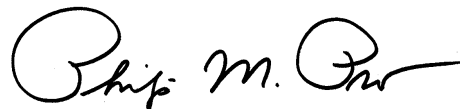
ORDER

Before the Court for consideration are Plaintiff Hicks' Application for Certificate of Appealability (Doc. #53) and Motion for Leave to Appeal *In Forma Pauperis* (Doc. #54) filed August 29, 2011.

The Court finds that Plaintiff's Motion for Leave to Appeal *In Forma Pauperis* is warranted in light of his financial condition. Plaintiff's Application for Certificate of Appealability, however, is in the judgment of this Court frivolous for the reasons set forth in the Order of Dismissal (Doc. #42) entered August 8, 2011.

IT IS THEREFORE ORDERED that Plaintiff Robert Hicks' Motion for Leave to Appeal *In Forma Pauperis* (Doc. #54) is **GRANTED**, and that Plaintiff's Application for Certificate of Appealability (Doc. #53) is **DENIED**.

DATED: September 8, 2011.



PHILIP M. PRO
United States District Judge